

**WASHINGTON COUNTY COMMISSION
MEETING MINUTES
DECEMBER 16, 2014**

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on December 16, 2014, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan Gardner, Commissioner Victor Iverson, County Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Nicholle M. Felshaw.

Commissioner Iverson led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for December 3, 2014 through December 16, 2014
- Consideration of Commission Meeting Minutes of November 18, 2014
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement (7): Thomas and Margaret Rowe, A/N 0133960; Jeffery and Kathy Covington, A/N 0002439; John and Danielle Ball, S/N SG-SM-2-119; George and Carole Strutzel, A/N 0523327; Roland and Elizabeth Burritt, A/N 0280332; Shyrl and Lynnette Chamberlain, S/N H-281-A-2; Marjorie Blatter, A/N 0473390
- Consideration of Custodial Agreement Extension Between Washington County and Handy and Mandy, Inc. for Washington County Buildings
- Consideration of Custodial Agreement Extension Between Washington County and Handy and Mandy, Inc. for Washington County Library Buildings
- Consideration of Renewal of Agreement Between Pictometry International Corp. and Washington County, UT
- Consideration of a Copyright Ownership and License Agreement between Washington County and Amy English Regarding the 2014 Tourism Vacation Planner
- Consideration of Appointment of County Commission Representative to Utah Counties Indemnity Pool, Appointing Commissioner Victor Iverson, Effective January 1, 2015

- Acknowledgment of Publishing: Notices of Adoption of Ordinances Nos. 2014-1043-O and 2014-1044-O on Saturday, December 6, 2014

MOTION: Motion by Commissioner Iverson to Approve the Consent Agenda as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

EMERGENCY SERVICES REPORT/SHERIFF CORY PULSIPHER

Sheriff Cory Pulsipher reported that the Christmas Party for Search and Rescue (SAR) was recently held to thank and recognize all those serving in leadership positions. Commander Casey Lofthouse completed his last term and after being in a leadership position with SAR for just over nine (9) years was presented with a plaque, recognizing him for all of his time and service.

The Awards Banquet was also held where employees were recognized and received lifesaving awards. Sheriff Pulsipher spoke about the Toquerville Falls incident where Lieutenant John Zwahlen was at the Toquerville Falls recreating with his family when a woman started having medical problems. He called 911, started CPR and called for assistance. Amber Crouse with the La Verkin Police Department responded first and assisted with the CPR until Deputy Tibbitts arrived with an Automated External Defibrillator (AED). After the incident, Amber took the opportunity to visit the woman at the hospital and as a result, the victim and her husband started a non-profit. From this, La Verkin received four (4) Automated External Defibrillators for their patrol cars. Since then, Amber and another deputy responded to a call in La Verkin for non-breathing and was able to use the AED successfully.

A deputy in the Correctional Division was also recognized for starting medical procedures on an inmate who had attempted suicide and was able to save his life.

Sheriff Pulsipher stated that these incidents have happened within the last 3 months. He is pleased with his employees, community support, and those that keep paying it forward, which makes a difference in our community.

December 13, 2014 was Shop with a Cop. Enough money was raised to sponsor one hundred (100) kids for Christmas at one hundred and fifty dollars (\$150) each. This year many officers who wanted to volunteer had to be turned away. Sheriff Pulsipher stated that potentially more money can be raised next year, giving the officers who would like to volunteer an opportunity. This program is a great avenue to interact with the community in a positive way.

CONSIDERATION OF PURCHASE REQUESTS/MARK BLANCH:

Road Department	(\$26,191.78)
ITS	(\$18,997.68)
Library	(\$31,608.78)
Emergency Services	(\$64,508.00)

Washington County Purchasing Agent Mark Blanch stated that the two (2) purchase requests for the HCP that were on the agenda were not being addressed today.

Mr. Blanch sought approval for the Road Department to repair a transmission for the John Deere grader.

ITS has requested an anti-virus protection covering all computers for the County's network. This would be a three (3) year contract, with the fourth (4th) year free.

The Library System's original purchase request was for thirty one (31) desktop computers, but with additional funds available the Library modified the request to forty two (42). Library Director Joel Tucker clarified that the original thirty one (31) 2008 computers are being replaced in Washington but realized there was a 2007 computer in Hurricane and ten (10) 2007 computers in St. George that have now been added to the current purchase request for replacement.

Emergency Services Director Pete Kuhlmann mentioned over the last ten (10) years the region has been working to develop resources and continues to increase the available resources in the region. Other than the HazMat Teams, they now have Swift Water Teams and Confined Space Rescue Teams. They are developing the training and equipment capability to be utilized in other areas in the event of an emergency. Team deployments are required to be self-sustaining for a period of time. This purchase request would make it possible to place a trailer in each of the five (5) counties to hold equipment so that a twelve (12) person team could be self-sustaining for at least a seventy two (72) hour period, if deployed to an emergency.

MOTION: Motion by Commissioner Gardner to Approve the Purchase Requests, with the exception of the two (2) HCP requests not being addressed today. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

**PUBLIC HEARING: TO OPEN THE 2014 WASHINGTON COUNTY BUDGET
AND TO ADOPT THE FINAL 2015 BUDGET OF WASHINGTON COUNTY/KIM
M. HAFEN**

Chairman Eardley opened the Public Hearing to receive comments on the opening of the 2014 Budget and the Final 2015 Budget.

Clerk Auditor Kim Hafen stated that in both the 2014 and 2015 budget the majority of the changes that were made are the result of the requests from the State Auditor's Office about how Redevelopment Agency (RDA) funds are handled; taxes to forego in the short term to increase tax revenue in the long term. Also, the assessing/collecting tax rates changed, where the local rate went up and the multi-county went down with no effect in the total.

Seeing no one else come forward, Chairman Eardley closed the Public Hearing.

**CONSIDERATION OF RESOLUTION NO. R-2014-1868, A RESOLUTION
ADOPTING THE WASHINGTON COUNTY BUDGET FOR 2015 AND
ADOPTING BY REFERENCE A SUMMARY AND ANALYSIS THEREOF**

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1868, a Resolution Adopting the Washington County Budget for 2015 and Adopting by Reference a Summary and Analysis Thereof. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

**CONSIDERATION OF RESOLUTION NO. R-2014-1870, A RESOLUTION
ADJUSTING THE WASHINGTON COUNTY BUDGET FOR 2014 AND
ADOPTING BY REFERENCE A SUMMARY AND ANALYSIS THEREOF**

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1870, a Resolution adjusting the Washington County Budget for 2014 and Adopting by Reference a Summary and Analysis Thereof. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

Mr. Hafen, recognizing that this was the last budget that Commissioner Eardley would be reviewing, thanked Commissioner Eardley for his diligence in reviewing the budget. He expressed appreciation for his business sense and conservative approach in regards to the budget and conveyed gratitude to Commissioner Eardley for the sound fiscal state of the County.

CONSIDERATION OF ORDINANCE NO. 2014-1045-O, AN ORDINANCE AUTHORIZING A SALES AND USE TAX TO FUND RECREATIONAL AND CULTURAL FACILITIES AND ORGANIZATIONS

Commissioner Eardley explained that there was a Recreation, Arts, and Parks (RAP) tax considered by voters in Washington County which was narrowly approved by a six hundred (600) vote margin. This would raise revenue in the amount of approximately two point two million dollars (\$2.2 million) a year at one-tenth of one percent sales tax rate on non-food items. Because Washington County implements this tax, rather than St. George City, all revenues would benefit the entire County.

Commissioner Gardner mentioned it is estimated that one-third (1/3) of the RAP tax will be paid from residents outside of the County, and runs for ten (10) years.

MOTION: Motion by Commissioner Gardner to Adopt Ordinance No. 2014-1045-O, an Ordinance Authorizing a Sales and Use Tax to fund Recreational and Cultural Facilities and Organizations. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF ORDINANCE NO. 2014-1046-O, AN ORDINANCE REZONING A CERTAIN PORTION OF WASHINGTON COUNTY NEAR HURRICANE FROM OST-20 ZONE TO M-1 ZONE

MOTION: Motion by Commissioner Iverson to Table Ordinance No. 2014-1046-O, an Ordinance Rezoning a Certain Portion of Washington County Near Hurricane from OST-20 Zone to M-1 Zone. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1866, A RESOLUTION APPOINTING AND RE-APPOINTING BOARD MEMBERS TO THE COUNCIL ON AGING ADVISORY BOARD

Commissioner Eardley stated that there has been an unfortunate situation where a member of the Council on Aging Advisory Board, Barbara Markus, has passed away. This has created a vacancy, and the Council on Aging Advisory Board recommends Ceil Stevenson to fill that vacancy. Also, the Board would like to re-appoint Leonard Gallia, Carolyn Jentzer, and Judy Tucker, as their terms expire the end of this year.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1866, a Resolution Appointing Ceil Stevenson and Re-Appointing Leonard Gallia, Carolyn Jentzer, and Judy Tucker as Board

Members to the Council on Aging Advisory Board. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1867, A RESOLUTION APPOINTING/RE-APPOINTING BOARD MEMBERS TO THE WATER CONSERVANCY DISTRICT

Commissioner Gardner explained that the terms of office of Daniel McArthur, Edward Bowler, Jim Lemmon, and Dennis Iverson expire at the end of this year, and he extended his appreciation as they have served several terms and have done a great job. The vacancies were advertised and Commissioner Gardner and County Administrator Dean Cox interviewed approximately eight (8) or nine (9) applicants. Based on those interviews, it was recommended that Edward Bowler be re-appointed to serve on the Water Conservancy District Board along with Mayor Jon Pike to replace Daniel McArthur, Mayor Ken Neilson to replace Dennis Iverson, and James Eardley, to replace Jim Lemmon.

Commissioner Iverson expressed his gratitude to those who have served on the Board. He stressed the importance of having mayors on the Board along with Commissioner Eardley, who is well trusted with budget processes and has an independent voice.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1867, a Resolution Appointing Jon Pike, Ken Neilson, and James Eardley and Re-Appointing Edward Bowler as Board Members to the Water Conservancy District. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1869, A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE SALT LAKE CHAMBER OF COMMERCE AND WASHINGTON COUNTY REGARDING PROFESSIONAL SERVICES FOR THE UTAH TRANSPORTATION COALITION

County Administrator Dean Cox explained that there was a recent study shows the state needs a tremendous sum of money by the year 2040, in order to meet all of the infrastructure needs. The last state-wide gas tax was passed in 1997 and took effect in 1998. Since then the price of oil has risen, although fortunately it is currently declining, but everything else has been marginalized by inflation that constantly erode the value of the dollar. He further explained that this contract is an agreement with the Chamber of Commerce in Salt Lake which has agreed to spearhead the public education campaign of raising the awareness of how important roads are for our economic commerce and well-being.

Commissioner Eardley stated that, even with all the sources of revenue that the state and counties have now, there is approximately an eleven billion dollar (\$11 billion) shortfall; if something isn't done, our economy will suffer.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1869, a Resolution Approving an Agreement Between the Salt Lake Chamber of Commerce and Washington County Regarding Professional Services for the Utah Transportation Coalition. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1871, A RESOLUTION WITHDRAWING PRIVATE PROPERTY LOCATED ON KANARRA MOUNTAIN FROM THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT

Mr. Cox stated that the County and Commission have the responsibility for the cost of fire suppression in all unincorporated areas of the County, using Special Service Districts to accomplish this. There are special circumstances because of the size of the County and configuration of the unincorporated areas, where it makes it difficult for fire fighters to respond in difficult-to-reach areas such as the one near Kolob fingers.

Currently, the responsibility of this area falls under the Hurricane Valley Fire District. However, in the event of a fire the quickest responder would be from New Harmony.

By adopting this resolution, the cost of protecting those homes would be shouldered by all County citizens, including residents living within incorporated cities, rather than the homeowners themselves who are building structures in difficult-to-reach areas.

His suggestion is for Hurricane Valley and New Harmony to enter into an agreement for the responses that are in difficult-to-reach areas. New Harmony would agree to provide first responder services for that area and would be reimbursed by the Hurricane Valley Fire District.

Commissioner Iverson stated that because of wild fires it is important for homeowners who build homes in remote areas to have the adequate coverage needed to fight fires. Costs associated with fires can accumulate quickly, with one airplane retardant application costing as much as ten thousand dollars (\$10,000).

MOTION: Motion by Commissioner Gardner Not to Adopt Resolution No. R-2014-1871, a Resolution Withdrawing Private Property Located on Kanarra Mountain From the Hurricane Valley Fire Special Service

District. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting not to adopt the Resolution.

CONSIDERATION OF RESOLUTION NO. R-2014-1872, A RESOLUTION APPROVING THE EXECUTION OF AN AGREEMENT AND QUIT-CLAIM DEED REGARDING THE TRANSFER OF OWNERSHIP OF A PARTIAL SUBDIVISION LOT FROM WASHINGTON COUNTY TO KEITH IVORY

Mr. Cox explained that at one time, if property taxes weren't paid, a portion of the lot would be deeded to the County that was roughly equal in value to the taxes that were owing, instead of foreclosing on the entire lot.

A portion of Mr. Ivory's land became County property through a historic tax sale, and sits immediately adjacent to his home. The County valued the lots in that area on a per-square-foot basis and the recommendation is to permit Keith Ivory to pay twelve hundred dollars (\$1,200), which is the fair market value based on a square-foot value. This will restore the lot to its original size.

Deputy County Attorney Eric Clarke mentioned that whenever the County owns property and is going to dispose of it, the procedure is to go through a public auction. In this instance, where it was a portion of what was a previous subdivision lot, the Commission can choose to forego that process and sell it to the homeowner.

Commissioner Eardley stated that Washington County attempted to auction off the property in question in the 1990 tax sale but there were no bids.

MOTION: Motion by Commissioner Iverson to Adopt Resolution No. R-2014-1872, a Resolution Approving the Execution of an Agreement and Quit-Claim Deed Regarding the Transfer of Ownership of a Partial Subdivision Lot from Washington County to Keith Ivory. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1873, A RESOLUTION APPROVING ADD-ONS TO THE EVERBRIDGE, INC. CONTRACT FOR THE INTERACTIVE VISIBILITY CONSOLE AND AN APPLICATION PROGRAMMING INTERFACE

Emergency Services Director Pete Kuhlmann explained that this contract addendum gives additional capability for the dispatch centers, including an application interface so that the paging systems are combined, along with additional incoming information from those that are paged.

The Dispatch Advisory Council recommended this purchase. Funding for the purchase comes from the agencies that use the system at the County from dispatch advisory fees. The County will pay for a portion of the unincorporated areas and the cities will pay their portion for areas used in the cities. This is a County-wide contract since all the entities in the County use the system.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1873, a Resolution Approving Add-Ons to the Everbridge, Inc. Contract for the Interactive Visibility Console and an Application Programming Interface. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF RESOLUTION NO. R-2014-1874, A RESOLUTION DESIGNATING AND APPOINTING AN AT-LARGE BOARD MEMBER TO THE HURRICANE VALLEY FIRE SPECIAL SERVICE DISTRICT ADMINISTRATIVE CONTROL BOARD

Mr. Cox explained that there is work under way to vastly expand the Hurricane Valley Fire Special Service District and with that expansion it would be beneficial if one more member could be appointed to the Board.

Commissioner Gardner submitted the name of Kevin Tervort, who is currently a member of the Hurricane City Council, to be appointed as a Board Member of the Hurricane Valley Fire Special Service District.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2014-1874, a Resolution Designating and Appointing Kevin Tervort as an At-Large Board Member to the Hurricane Valley Fire Special Service District Administrative Control Board. Motion seconded by Commissioner Iverson and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

CONSIDERATION OF SELECTION OF COMMISSION CHAIRMAN FOR 2015

Commissioner Iverson mentioned what an honor it has been working with Commissioner Eardley for the last six (6) months and is looking forward to continuing his association and the opportunity to work with him in various capacities in the future.

Commissioner Iverson recommended the appointment of Commissioner Alan Gardner as Chairman of the Washington County Commission for 2015.

MOTION: Motion by Commissioner Iverson to Select Alan Dean Gardner as Commission Chairman for 2015. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Eardley, Gardner, and Iverson voting aye.

COMMISSIONERS' REPORT

Commissioner Gardner commented on the Omnibus Bill that was passed by Congress last week as well as the County receiving funding for Payment in Lieu of Taxes (PILT). In addition, the Secure Rural Schools (SRS) payment should be received after the first of the year.

Commissioner Gardner presented Commissioner Eardley with a plaque for his service to the County and mentioned how wonderful it has been working with Commissioner Eardley for the past sixteen (16) years. Commissioner Gardner also mentioned how the County is in sound financial shape despite recessions, largely because of Commissioner Eardley's diligence on the budget.

Commissioner Eardley commented how unexpected receiving the plaque was and expressed appreciation for the recognition. Commissioner Eardley stated he has enjoyed the experience, association and friendship over the past sixteen (16) years with fellow County employees and will miss it. Commissioner Eardley reiterated that the County is in good shape and believes that it will stay that way.

PUBLIC WORKS OR ROAD BUSINESS

Public Works Director Ron Whitehead stated that there are no projects currently in the works right now.

The cutoff road across the reservation that leaves the Gunlock Highway and connects to the Motoqua road is complete and appreciates the cooperation of the Shivwits tribe.

The next big project will start at the first of the year on the Shivwits Reservation, doing reconstruction work on the Shem Dam. There is erosion on the left abutment of the downstream side and it is not in good shape. This will be torn down and the left abutment will be rebuilt. The overflow in the middle of the dam will be rebuilt to look like a step structure with rock.

One other small project is near Gunlock where a grade stabilization bar will be added to protect the bridge.

Mr. Whitehead also mentioned that the Arizona Department of Transportation is working on bridge number six (6) in the Gorge and has identified Old Highway 91 as an alternative route. Work in the Gorge is projected to continue through 2016 or 2017.

Mr. Whitehead thanked Commissioner Eardley for his years of service, mentioning what a great leader and example he is. In addition, Mr. Whitehead commented how Commissioner Eardley has been an instrumental part of different committees that have affected the County's interests and funding and his voice has been greatly appreciated.

**COUNTY DEVELOPMENT AND PLANNING BUSINESS/SCOTT MESSEL:
REVIEW OF ITEMS FROM THE WASHINGTON COUNTY PLANNING
COMMISSION MEETING OF DECEMBER 9, 2014**

PUBLIC HEARING/ZONE CHANGE. Request to rezone Parcel 4115-A-HV and Parcel 4115-B-HV from OST-20 (Open Space Transitional 20 acre minimum lot size) zone to M-1 (Manufacturing) zone. The total acreage of the parcels is approximately 52 acres in size. Located south of Regional Park Road on the northeast side of Shotgun Drive near Hurricane. The applicants are JTD Trucking Inc/Verden and Joyce Hannig/Rocky Mountain Power.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 5:05 p.m.

NICHOLLE M. FELSHAW
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN